


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  D.C.

05 AUG 23 PM 3: 17

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

NATHANIEL J. WADE, JR.

Plaintiff,

vs.

NATIONAL SAFETY
ASSOCIATES, INC.

Defendant.

No. 05-2030-B/V

SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held on August 17, 2005. Present were Todd P. Photopulos, counsel for Defendant, and James King, counsel for Plaintiff. At the conference, the following dates were established as the file dates for:

INITIAL DISCLOSURES PURSUANT TO FED. R. CIV. P. 26(a)(1): The parties will make their disclosures by September 8, 2005.

JOINING PARTIES: The parties shall join any additional parties by October 25, 2005.

AMENDING PLEADINGS: The parties shall amend their pleadings by October 25, 2005. Any responsive pleading shall be due 30 days after service.

INITIAL MOTIONS TO DISMISS: Any initial Motion to Dismiss shall be filed by November 25, 2005.

COMPLETING ALL DISCOVERY: All discovery shall be completed by April 25, 2006.

(a) **Document Production:** April 25, 2006

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 8-23-05

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- (b) **Depositions, Interrogatories and Requests for Admission:** April 25, 2006
- (c) **Expert Witness Disclosure (Rule 26):**
 - (1) **Disclosure of Plaintiff's Rule 26 Expert Information:** February 27, 2006
 - (2) **Disclosure of Defendant's Rule 26 Expert Information:** March 27, 2006
 - (3) **Expert Witness Depositions:** April 25, 2006

FILING DISPOSITIVE MOTIONS: The deadline to file any dispositive motions (including motions for summary **JUDGMENT**) shall be May 25, 2006.

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial, and the trial is expected to last 3 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties consent to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "Diane K. Vesco".

DIANE K. VESCOVO

UNITED STATES MAGISTRATE JUDGE

DATE: August 23, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 12 in case 2:05-CV-02030 was distributed by fax, mail, or direct printing on August 23, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT